

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

KARRY PEREZ, JOHN FITZGERALD,
KATHY CAPRON, MARK WADE,
JESSICA SHROPSHALL, and HADEL
TOMA, on behalf of themselves and all
others similarly situated,

Plaintiffs,

vs.

BRITAX CHILD SAFETY, INC.,

Defendant.

Civil Action No. 0:19-cv-01735-JMC

**JOINT MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Plaintiffs Karry Perez, John Fitzgerald, Kathy Capron, Mark Wade, Jessica Shropshall, and Hadel Toma, on behalf of themselves and others similarly situated (“Plaintiffs”), and Defendant Britax Child Safety, Inc. hereby jointly move this Court to:

1. Certify the Settlement Class for purposes of settlement only;
2. Preliminarily approve the Settlement Agreement;
3. Appoint Gary E. Mason of Mason Lietz & Klinger LLP, Charles Schaffer of LevinSedran & Berman LLP, and D. Aaron Rihn of Robert Pierce & Associates, P.C. as Settlement Class Counsel;
4. Appoint Plaintiffs Karry Perez, John Fitzgerald, Kathy Capron, Mark Wade, Jessica Shropshall, and Hadel Toma as Class Representatives;

5. Approve the direct email notice process described by the parties in the Settlement Agreement, including the timing for such notice;
6. Approve the Notice Plan in the form and manner proposed as set forth in the Settlement Agreement;
7. Set a hearing date and schedule for final approval of the settlement and consideration of Settlement Class Counsel's motion for award of fees, costs, expenses, and service awards; and
8. Stay all proceedings in this action pending the hearing for final approval of the settlement.

This Motion is based upon: (1) this Motion; (2) the Memorandum of Points and Authorities in Support of Joint Motion for Preliminary Approval of Class Action Settlement; (3) the Settlement Agreement; (4) the Declaration of Plaintiffs' Counsel Gary E. Mason filed herewith; (5) the Declaration of Plaintiffs' Counsel Aaron Rihn filed herewith; (6) the Declaration of Plaintiffs' Counsel Charles Schaffer filed herewith; (7) the records, pleadings, and papers filed in this action; and (8) such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.

Dated: June 15, 2020

Respectfully submitted,

/s/ Harper Todd Segui

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